

PREScription DRUG COSTS, TRANSPARENCY, AND OTHER REFORMS STATE LEGISLATION



Updated November 8, 2019

* *Overview.* The below survey attempts to offer a comprehensive look at the state legislative activity on issues related to drug pricing, including transparency efforts, regulation of pharmacy benefit managers (PBM), prescription drug importation, price gouging, and a host of more miscellaneous issues related to health care costs. This survey does not, however, include certain legislative efforts on more discreet topics (e.g., the regulation of the price of specific medications like insulin, drug negotiations with federal or state programs, etc.). Given the breadth of these issues (and the array of terms used to describe them), other legislation introduced in the states may also address them.

* *Legend.* The bills included below are color coded based on their status throughout the legislative session:

- **BLUE** - Legislation Enacted or at the Governor's Desk
- **YELLOW** - Legislation Moving Through Either Chamber
- **GREY** - Legislature Has Adjourned or the Legislation Has Otherwise Failed

More specific procedural updates are available through the links provided, but will not be reflected in the chart.

* The descriptions of the legislation provided offer a broad overview. If there is a particular bill for which you would like additional information, please let us know.

| State | Legislation | Subject | Status | Overview |
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| Alabama | SB 73 | PBM Regulation | Enacted | Prohibits PBMs from preventing pharmacies/pharmacists from disclosing information on the amount an individual would pay for a prescription drug if they do not have an insurance plan, benefits, discounts, or if an individual paid for a prescription without using their pharmacy benefits; and requires PBMs to register with the Department of Insurance. |
| Arizona | HB 2285 | PBM Regulation | Enacted | Establishes PBM reporting obligations related to drug information and maximum allowable cost pricing, among other things. |
| Arkansas | SB 520 | PBM Regulation | Enacted | Builds on existing rules to require PBMs to report certain information (i.e., the aggregate amount of rebates received, the aggregate amount of rebates distributed to appropriate health care insurer, etc.) to the state insurance commissioner; prohibits PBMs from conducting spread pricing, among other things. |
| California | AB 1803 | Miscellaneous | Enacted | Repeals certain claims requirements regarding prescription drugs, among other things. |
| California | AB 824 | Miscellaneous | Enacted | Treats "pay for delay" agreements as anti-competitive and subjects manufacturers to a civil penalty. |
| California | SB 642 | PBM Regulation/Miscellaneous | Introduced ADJOURNED | Prohibits health plans/insurers from entering into, renewing, or extending a contract for PBM services; establishes the Prescription Acquisition and Adjudication Agency and requires the agency to offer PBM services to plans/insurers (e.g., adjudicated claim processing, negotiations for pharmaceutical discounts, etc.) among other things. |
| Colorado | HB 1296 | Drug Pricing Transparency | Introduced ADJOURNED | Subjects health insurers, prescription drug manufacturers, PBMs, and non-profit organizations to reporting obligations about the costs of prescription drugs; prohibits PBMs from retroactively reducing payments to pharmacies, among other things. |
| Colorado | SB 5 | Drug Importation | Enacted | Requires state regulators to design a program to import prescription pharmaceutical products from Canada for sale to Colorado consumers, among other things. |
| Colorado | HB 1216 | Drug Pricing Transparency | Enacted | Caps the cost sharing for prescription insulin drugs to \$100 per one-month supply of insulin, among other things. |
| Connecticut | HB 7174 | Multi-Issue | Introduced ADJOURNED | Requires state regulators to establish the Connecticut Prescription Drug Program to--among other things--make outpatient prescription drugs available at lowest possible cost to participants; requires pharmaceutical manufacturers engaging in pay-for-delay deals to report such agreements; establishes a drug reimportation task force among other things. |
| Connecticut | SB 48 | Miscellaneous | Introduced ADJOURNED | Allows developers of generic drugs and biosimilar products to obtain reference samples, among other things. |
| Connecticut | SB 84 | Drug Importation | Introduced ADJOURNED | Requires state regulators to develop a prescription drug importation program with licensed Canadian manufacturers/distributors. |
| Connecticut | SB 370 | Drug Pricing Transparency | Introduced ADJOURNED | Establishes a prescription drug review board to investigate spikes in prescription drug pricing. (<i>Proposed bill</i>) |
| Delaware | SB 71 | PBM Regulation | Passed House and Senate | Prohibits PBMs from requiring/providing an incentive for an insured to use a pharmacy in which the PBM has an ownership interest; requires pharmacies to be owned by a pharmacist or by a majority of pharmacists if owned by an artificial entity, among other things. |
| Delaware | HB 24 | PBM Regulation | Enacted | Prohibits insurers and PBMs from engaging in "claw backs" (i.e., when the total cost of a prescription drug to an insurer or PBM is less than the patient's copay), among other things. |

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| Delaware | HB 194 | PBM Regulation | Enacted | Requires PBMs to register with the Insurance Commissioner, among other things (i.e., PBMs engaging in maximum allowable cost pricing are required to be more transparent with pricing). |
| Florida | SB 1528/HB 19/SB 1452 | Drug Importation | HB 19: Enacted | Requires state regulators to establish the Canadian Prescription Drug Importation Program (i.e., authorizes Canadian suppliers to export drugs into Florida under certain circumstances), among other things. |
| Georgia | HB 323 | PBM Regulation | Enacted | Requires PBMs to report annually to their clients the aggregate amount of all rebates received from manufacturers in connection with claims administered on behalf of the client; expanding PBMs' proscribed activities, among other things. |
| Georgia | SB 145 | Multi-Issue | Introduced ADJOURNED | Requires insurers to set certain standards when creating health insurance plans, including maintaining the price of a particular drug for a contract year as advertised in the insurance plan to consumers, among other things. |
| Hawaii | HB 1442/SB 1521 | PBM Regulation | SB 1521: Passed Senate; referred to House HB 1442: Approved by committees ADJOURNED | Establishes requirements for PBMs and maximum allowable cost; allows contracting pharmacies to reverse and rebill all claims for an appealed drug if the PBM establishes a maximum allowable cost that is denied on appeal and pay the maximum allowable cost approved after resolution; and clarifies the available penalties for violations of maximum allowable cost requirements, among other things. |
| Hawaii | SB 507 | PBM Regulation | Introduced ADJOURNED | Requires PBMs to notify contracting pharmacies of changes to maximum allowable cost for any drug 15 days prior to the change; requires PBMs to disclose where an equivalent drug can be obtained at or below the maximum allowable cost, when a maximum allowable cost is upheld on appeal; among other things. |
| Hawaii | SB 1401 | PBM Regulation | Passed Senate and House (conference committee scheduled) ADJOURNED | Provides that PBMs may not prohibit a pharmacist/pharmacy from providing an insured with information on the amount of the insured's cost share for a prescription drug and the clinical efficacy of a more affordable alternative drug if one is available; and prevents penalization of a pharmacy/pharmacist for sharing such information. |
| Hawaii | HB 1361 | PBM Regulation | Introduced ADJOURNED | Prohibits PBMs from engaging in self-serving business practices; increases PBMs' annual reporting requirements; replaces the registration requirement for PBMs with a licensure requirement, among other things. |
| Hawaii | HB 267/SB 1328 | Drug Pricing Transparency | HB 267: Passed House and Senate SB 1328: Passed Senate; House Committee recommended deferral ADJOURNED | Requires manufacturers of certain prescription drugs (i.e., those with a wholesale acquisition cost of \$40 or more per course of therapy) to notify each prescription drug benefit plan and PBM of any price increase that results in a 16%+ increase in the wholesale acquisition cost of the drug over a two year period, among other things. |
| Illinois | HB 465 | PBM Regulation | Enacted | Imposes reporting requirements on PBMs with respect to maximum allowable cost pricing information, among other things. |
| Illinois | HB 1441 | Drug Importation | Introduced | Requires regulators to design an importation program where the state is the licensed wholesaler of imported drugs from licensed, regulated Canadian suppliers, among other things. |
| Illinois | HB 891 | PBM Regulation | Introduced | Authorizes a pharmacy/pharmacist to inform an insured about their cost share for a prescription drug; prohibits a PBM from penalizing a pharmacy/pharmacist for disclosing this information, among other things. |
| Illinois | SB 1557 | PBM Regulation | Passed Senate; referred to House | Prohibits a PBM from preventing a pharmacy or pharmacist from providing a customer with a more affordable alternative, if a more affordable alternative is available. |
| Illinois | HB 3187 | PBM Regulation | Introduced | Imposes disclosure requirements on PBMs (e.g., upon request, requires PBMs to disclose any rebate amounts provided to the PBM by a manufacturer), among other things. |
| Illinois | HB 2882 | Price Gouging | Introduced | Prohibits manufacturers/wholesale distributors from engaging price gouging in the sale of an essential off-patent or generic drug, among other things. |
| Illinois | HB 3493 | Drug Pricing Transparency | Introduced | Creates the Prescription Drug Affordability Board to identify prescription drugs that should be subject to a cost review, among other things. |
| Illinois | HB 156 | Drug Pricing Transparency | Passed House; referred to Senate | Requires health insurers to disclose certain rate and spending information concerning prescription drugs/certain prescription drug pricing information to the Department of Public Health, among other things. |
| Illinois | HB 53 | Drug Pricing Transparency | Introduced | Requires manufacturers of brand name or generic prescription drugs to notify state purchasers, health insurers, health care service plan providers, PBMs, and the General Assembly of specified increases in drug prices, among other things. |
| Indiana | HB 1029 | Drug Pricing Transparency | Enacted | Urges Legislative Council to assign to the Interim Study Committee on Public Health, Behavioral Health, and Human Services the task of studying prescription drug price transparency by drug manufacturers. |
| Indiana | SB 415 | Price Gouging | Introduced ADJOURNED | Prohibits a manufacturer or wholesale distributor from engaging in price gouging in the sale of essential off-patent or generic drugs, among other things. |
| Indiana | HB 1180 | PBM Regulation | Passed Senate and House (conference committee appointed) ADJOURNED | Subjects PBMs to licensure, network reporting, and annual reporting requirements, among other things. |
| Indiana | SB 40/HB 1252 | PBM Regulation | Introduced ADJOURNED | Requires PBMs that are not licensed as administrators to be registered with the Board of Pharmacy; specifies requirements for registration, renewal, conduct, appeals, and annual reporting by PBMs, among other things. |

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| Indiana | HB 1570 | Miscellaneous | Introduced ADJOURNED | Requires retail pharmacies, before dispensing prescriptions, to inform an insured patient of the cost of the drug without insurance or an applicable discount, if the cost of the drug is less than the copayment cost to the patient using the insurance or applicable discount. |
| Iowa | SB 563 | PBM Regulation | Enacted | Requires PBMs to annually report to the Commissioner of Insurance information about rebates and fees received; requires the Commissioner to post non-confidential information received to a publicly accessible website, among other things. |
| Iowa | SB 347/HB 489 | PBM Regulation | Introduced ADJOURNED | Requires PBMs to annually report to the Commissioner of Insurance certain information regarding prescription drug benefits provided, among other things. |
| Kentucky | SB 139 | PBM Regulation | Introduced ADJOURNED | Establishes requirements for "reasonably adequate and accessible" PBM networks; prohibits PBMs from taking actions related to payment and practices; permits the Commissioner of Insurance to promulgate regulations prohibiting certain practices by PBMs, among other things. |
| Louisiana | SB 41 | PBM Regulation | Enacted | Requires PBMs to be licensed by the Commissioner of Insurance/registered with the Secretary of State to do business in Louisiana; provides substantive licensure requirements for PBMs; prohibits spread pricing, unless the PBM provides a biannual notice to the policyholder of the aggregate amount of spread pricing charged by the PBM during the notice period, among other things. |
| Maine | LD 1499 | Drug Pricing Transparency | Enacted | Establishes the Maine Prescription Drug Affordability Board; requires manufacturers to provide notice of certain price increases in a drug's wholesale acquisition cost, among other things. |
| Maine | LD 1272 | Drug Importation | Enacted | Establishes a wholesale importation program for prescription drugs from Canada, among other things. |
| Maine | LD 1504 | PBM Regulation | Enacted | Replaces current registration requirements for PBMs with a licensing requirement; imposes several requirements on carriers that provide prescription drug benefits (e.g., makes carriers responsible for monitoring all activities carried out by the carrier, or all activities carried out on behalf of the carrier by a PBM, related to a carrier's prescription drug benefits), among other things. |
| Maine | SB 1499 | Drug Pricing Transparency | Enacted | Creates the Maine Prescription Drug Affordability Board to determine the reasonableness of the costs for certain prescription drug products; requires manufacturers to notify the Board when the introductory price or proposed price increase for a brand-name or generic drug reaches a specified threshold, among other things. |
| Maine | SB 1409 | PBM Regulation | Failed | Imposes additional requirements on PBMs (e.g., requires them to file certain information with the state when registering, imposes annual reporting requirements on PBMs), among other things. |
| Maine | LD 1389 | PBM Regulation | Failed | Requires PBMs to be registered by the Department of Health and Human Services and set standards for such registration; places a fiduciary duty on managers with respect to the insurers who are the managers' clients, among other things. |
| Maine | LD 350/SB 1162 | Drug Pricing Transparency | LD 350/SB 1162: Enacted | If a prescription drug has a wholesale acquisition cost of more than \$40 per course of therapy and there is an increase in the wholesale acquisition cost of that drug of more than 16% within the previous two calendar years, requires the manufacturer to provide notice to certain registered purchasers, among other things. |
| Maine | HB 480 | Miscellaneous | Enacted | Authorizes a state practitioner to indicate on a prescription whether a generic or therapeutic equivalent, or any interchangeable biological product may be prescribed to the customer instead of a prescription drug; directs pharmacists to substitute the prescription drug for any such substitution if HHS has determined that the drug substitute is more cost effective, among other things. |
| Maryland | HB 754 | PBM Regulation | Enacted | Prohibits a contract between a PBM and a pharmacy from becoming effective unless the contract is filed with the Insurance Commissioner (and the Commissioner does not disapprove the filing); specifies the requirements relating to appeals and disputes regarding maximum allowable cost, cost pricing, and reimbursement, among other things. |
| Maryland | SB 819/HB 920 | Multi-Issue | Introduced ADJOURNED | Requires carriers to disclose (1) specified information about the carrier's prescription drug formularies, (2) whether members may be subject to excess cost sharing, and (3) specified notice of any change in pharmaceutical benefits; requires PBMs to provide the Insurance Commissioner with specified information on a public website; requires the Secretary of Health to identify specified prescription drugs on which the state spends significant health care dollars, among other things. |
| Maryland | SB 759/HB 768 | Drug Pricing Transparency | HB 768: Enacted | Establishes an independent Prescription Drug Affordability Board; mandates that the Board make specified determinations, collect data, and identify specified prescription drug products that may cause affordability issues, among other things. |
| Maryland | HB 296 | Drug Pricing Transparency | Introduced ADJOURNED | Requires pharmacists at point-of-sale to inform consumers of the retail price for a prescription drug and--under certain circumstances--the cost share for which the retail customer is responsible for the prescription drug, among other things. |
| Massachusetts | S 712/H 1178 | Multi-Issue | Introduced | Requires the Health Policy Commission to conduct an annual study of pharmaceutical manufacturing companies with "pipeline drugs" (i.e., prescription drug products containing a new molecular entity for which the manufacturer has submitted a new drug application, etc.), generic drugs, and biosimilar drugs that may have a significant impact on state's health care costs; requires the Center for Health Information and Analysis to study PBM/manufacture activity and related costs, among other things. |

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| Massachusetts | S 696/H 3551 | Drug Pricing Transparency | Introduced | Requires the Health Policy Commission/Center for Health Information and Analysis to develop a list of critical prescription drugs for which there is a substantial public interest in understanding the development of its pricing; requires each manufacturer of a critical prescription drug to report specific information to the Commission (e.g., total cost of production, research and development costs, etc.), among other things. |
| Massachusetts | H 1972 | Drug Importation | Introduced | Requires state regulators to design a wholesale prescription drug importation program that designates a state agency to seek federal certification/approval to import prescription drugs from Canadian prescription drug suppliers. among other things. |
| Massachusetts | S 653 | Miscellaneous | Introduced | Requires insurers to notify enrollees if they may be subject to an excess consumer cost burden for covered prescription drugs. among other things. |
| Massachusetts | H 1193 | Drug Pricing Transparency | Introduced | Establishes a Drug Cost Review Commission; requires manufacturers of patent-protected, brand-name drugs or biologicals to report certain information to the Commission if the wholesale acquisition price of the drug has increased by more than 10% or by more than \$10,000 during any 12-month period or if the manufacturer intends to introduce to market a brand-name drug that has a wholesale acquisition cost of \$30,000 per calendar year or per course of treatment. among other things. |
| Massachusetts | H 1167 | Drug Pricing Transparency | Introduced | Requires the Health Policy Commissioner/Center for Health Information and Analysis to create annually a list of 10 drugs on which the state's MassHealth program spends significant health care dollars and for which the wholesale acquisition cost has increased by (1) 50% or more over the past 5 years, (2) 15% or more during the previous calendar year, or (3) both; requires certain carriers to create similar lists; requires manufacturers of the enumerated drugs to provide justifications for the price increases, among other things. |
| Massachusetts | H 1162/S 552 | Drug Pricing Transparency | Introduced | Requires the Health Policy Commission/Center for Health Information and Analysis to identify annually up to 15 prescription drugs on which the state spends significant health care dollars and for which the wholesale acquisition cost has increased by (1) 50% or more over the past 5 years, (2) 15% or more over the past 12 months, or (3) is a new drug whose price may have a significant impact on the cost benchmark; requires the manufacturers of the identified drugs to provide a justification for the price increase to the Attorney General, among other things. |
| Massachusetts | H 1133/S 706 | Multi-Issue | Introduced | Requires the Center for Health Information and Analysis to put together an analysis of information to make drug prices more transparent; requires regulators to determine whether a manufacturer's price of a prescription drug is excessive; requires PBMs to obtain a license to operate in the state, among other things. |
| Massachusetts | H 1178 | Miscellaneous | Introduced | Establishes a Prescription Drug Academic Detailing Program to engage in outreach and education regarding the therapeutic and cost-effective use of prescription drugs. among other things. |
| Massachusetts | H 1117 | Miscellaneous | Introduced | Requires the Division of Insurance and the Health Policy Commission to promulgate regulations to ensure that carriers do not pay more for drugs than the Medicaid program. |
| Massachusetts | S 733 | Miscellaneous | Introduced | Requires pharmacies to post a notice to consumers informing them that at the point of sale they may request the current pharmacy retail price for each prescription medication they intend to purchase; requires pharmacists to notify consumers if the cost-sharing for a prescription drug exceeds the current pharmacy retail price. among other things. |
| Massachusetts | S 715 | Miscellaneous | Introduced | Prohibits a provider organization from preventing a pharmacist/pharmacy from providing a purchaser with information regarding the amount of the purchaser's cost share for a prescription drug and the clinic efficacy of a lower-priced alternative drug, if one is available; requires pharmacies/pharmacists to provide purchasers with any relevant information pertaining to the acquisition of a prescription medication, among other things. |
| Massachusetts | H 1148 | Miscellaneous | Introduced | Prohibits the state from entering into an agreement with a drug manufacturer for the purchase of a prescription drug unless the drug's cost (including rebates and other discounts) is same as or less than lowest priced paid by U.S. Department of Veterans Affairs for the same drug. among other things. |
| Massachusetts | S 601 | PBM Regulation | Introduced | Prohibits certain conduct by PBMs (e.g., requiring a covered person to use specific retail, mail order, or other retail pharmacies in which the PBM has an ownership interest); requires PBMs to annually submit a transparency report. among other things. |
| Massachusetts | H 1104 | PBM Regulation | Introduced | Imposes certain obligations on PBMs with respect to maintenance and publication of maximum allowable cost lists. among other things. |
| Massachusetts | H 1154 | PBM Regulation | Introduced | Restricts certain conduct by PBMs (e.g., contractual limitations, prohibitions against penalizing a pharmacist for disclosing cost-sharing information to consumers, prohibitions against charging a fee in relation to the adjudication of a claim, etc.). among other things. |
| Massachusetts | H 4000/H 4017 | Miscellaneous | Enacted | Permits the Executive Office of Health and Human Services to negotiate supplemental rebate agreements (SRAs) with manufacturers for drugs covered by MassHealth; prohibits the Secretary from restricting or limiting eligible hospital's access to the discounted purchase of prescription drugs unless the Secretary provides notice, among other things. |
| Massachusetts | H 4134 | PBM Regulation | Introduced | Establishes a PBM certification requirement; and requires PBMs to report financial data from manufacturers and provider payments. |

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| Michigan | HB 4154 | Drug Pricing Transparency | Introduced | Requires manufacturers of prescription drugs to file an annual report on costs associated with a prescription drug if it (1) is remanufactured resulting in a decrease in its shelf life, (2) has an annual wholesale acquisition price of \$10,000+, (3) has a wholesale acquisition price of \$10,000+ per course of treatment, or (4) has a wholesale acquisition price that has increased by 25%+ during the previous 5 years or during 5%+ during the preceding calendar year, among other things. |
| Michigan | HB 4155 | PBM Regulation | Introduced | Imposes registration obligations on PBMs; requires PBMs to annually report information pertaining to its contractual relationships with insurers and rebating procedures, among other things. |
| Michigan | HB 4702 | Drug Pricing Transparency | Introduced | Requires the Attorney General investigate the pricing of prescription insulin drugs, including, collecting and reviewing information regarding business practices, pricing information, reports, among other things. |
| Michigan | HB 4978/HB 4979/SB 525 | Drug Importation | Introduced | Establishes a wholesale importation program for prescription drugs from Canada, among other things. |
| Michigan | HB 5107 | Drug Importation | Introduced | Establishes a wholesale importation program for prescription drugs from Canada, among other things. |
| Michigan | HB 5108 | Drug Pricing Transparency | Introduced | Requires manufacturers of prescription drugs to notify the insurance commissioner in the event that they introduce a new prescription drug into the market at a wholesale acquisition cost that exceeds a certain threshold set for a specialty drug under Medicare, among other things. |
| Michigan | HB 5109 | Drug Pricing Transparency | Introduced | Prohibits manufacturers of prescription drugs from charging excessive prices and increasing the wholesale acquisition cost (i.e., not justified by the cost of producing the drug, results in consumers having no meaningful choice to purchase the drug, etc.) |
| Minnesota | SB 841 | PBM Regulation | Introduced ADJOURNED | Requires PBMs to apply for a certificate of authority to operate in the state; subjects PBMs to certain disclosure obligations; prohibits PBMs from requiring a covered individual to use a retail pharmacy, among other things. |
| Minnesota | SB 1098/HB 1246/SB 1640 | Drug Pricing Transparency | Introduced ADJOURNED | Imposes reporting obligations on manufacturers for (1) drugs that have undergone particular price increases, (2) new brand-name prescription drugs that meet certain cost requirements, and/or (3) newly acquired prescription drugs that meet certain cost requirements, among other things. |
| Minnesota | HB 704/HB 2518 | Drug Pricing Transparency | Introduced ADJOURNED | Requires manufacturers of drugs that have a wholesale acquisition cost of \$10,000+ annually or per course of treatment to file a report disclosing certain information about the drug (e.g., cost of production, total profit attributable to the drug, etc.), among other things. |
| Minnesota | SF 278/HF 728 | PBM Regulation | SF 278: Enacted HF 728: Introduced ADJOURNED | Requires PBMs to obtain a license from the Commissioner of Commerce; establishes PBMs have a fiduciary duty to carriers; requires PBMs to disclose rebate and pricing information to plan sponsors and the Commissioner of Commerce; requires PBMs to provide pharmacies with a maximum allowable cost list, among other things. |
| Minnesota | HB 4/SB 1518/HB 753/SB 272 | Price Gouging | Introduced ADJOURNED | Prohibits drug manufacturers and wholesalers from charging an "unconscionable price" for an "essential prescription drug;" requires certain drug price increases for essential prescription drugs to be reported to the Attorney General, among other things. |
| Minnesota | SB 495/SB 1184 | Drug Importation | Introduced ADJOURNED | Requires state regulators to develop a program to make discounted prescription drugs reimported from Canada available to Minnesotans, among other things. |
| Minnesota | HB 149/SB 237 | Miscellaneous | Introduced ADJOURNED | Prohibits a pharmacist from informing a patient when the amount the patient is required to pay under their plan for a particular drug is greater than the amount the patient would be required to pay for the same drug if purchased out-of-pocket at the pharmacy's usual and customary price. |
| Minnesota | SB 353/HB 1668 | Drug Pricing Transparency | Introduced ADJOURNED | Establishes the Prescription Drug Affordability Commission; requires drug manufacturers to notify the Commission/justify if the manufacturer (1) increases the wholesale acquisition cost of a patent-protected brand name drug by more than 10% or \$10,000 during any 12-month period; or (2) intends to introduce to market a brand name drug with a wholesale acquisition cost of \$30,000 per calendar year/course of treatment; imposes similar notification/justification requirements on manufacturers of generic products and off-patent sole source brand products, among other things. |
| Minnesota | HB 2819 | Miscellaneous | Introduced ADJOURNED | Imposes a tax on a manufacturer's excess price amount for a prescription drug; establishes the tax to be equal to X% of the excess price amount of each drug produced by a manufacturer that is sold in Minnesota, multiplied by the number of units produced by the manufacturer that are sold in the state, among other things. |
| Minnesota | SB 67/HB 723 | Miscellaneous | Introduced ADJOURNED | Prohibits contracts for pharmacy services to contain provisions prohibiting a pharmacist from disclosing to an individual purchasing prescription medication information regarding the cost of the medication, the payment criteria used by the health plan or PBM, or the availability of any therapeutically equivalent medications, among other things. |
| Mississippi | HB 283 | Price Gouging | Died in Committee ADJOURNED | Prohibits a manufacturer or wholesale distributor from engaging in price gouging in the sale of essential generic drugs, among other things. |
| Missouri | SB 413/HB 1165 | PBM Regulation | Introduced ADJOURNED | Requires PBMs to be licensed by the Department of Insurance; requires PBMs to file annual reports regarding rebates, among other things. |

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| Missouri | SB 310/HB 1186 | Multi-Issue | Introduced ADJOURNED | Requires PBMs to annually report certain information about rebates received; requires carriers to submit certain information to the Commission at the time they submit their rate filings (e.g., the names of the 25 most frequently prescribed outpatient prescription drugs, etc.); requires manufacturers of patent-protected drugs to notify the Drug Cost Review Commission of certain price increases, among other things. |
| Missouri | HB 1031 | Drug Pricing Transparency | Introduced ADJOURNED | Requires the Department of Health and Senior Services to annually identify 15 prescription drugs on which the state spends significant health care dollars and for which the wholesale acquisition cost has increased by 50%+ over the past 5 years or by 15%+ over the past 12 months; for each drug identified, requires the manufacturers to provide justifications for the increases in the wholesale acquisition cost, among other things. |
| Montana | HB 710 | Drug Pricing Transparency | Passed House ADJOURNED | Requires drug manufacturers to report certain information on drugs for which the (1) price increased by more than 10% during the calendar year and (2) the price was \$100+ for a one-month supply or a course of treatment lasting less than one month, among other things. |
| Montana | SB 83 | PBM Regulation | Enacted | Prohibits a PBM from directly/indirectly holding a pharmacy responsible for a fee related to a claim in certain circumstances, establishes the rights of certain pharmacies, among other things. |
| Montana | HB 344 | PBM Regulation | Passed House ADJOURNED | Requires PBMs to submit an annual transparency report containing information regarding the aggregate amount of rebates received from manufacturers, the aggregate amount of administrative fees paid, the aggregate amount of retained rebates, etc., among other things. |
| Montana | SB 270 | Price Gouging | Enacted | Prohibits plan sponsor, health insurance issuer, or PBM from penalizing a pharmacy/pharmacist for disclosing reimbursement information to a covered person or for selling a more affordable alternative to a covered person, among other things. |
| Nebraska | LB 567 | Drug Pricing Transparency | Introduced | Requires manufacturers of prescription drugs to notify certain parties (e.g., insurance companies and health providers) in the event that a cost increase on prescription drugs with a wholesale acquisition cost of \$40 for one course of therapy is to increase more than 16% in a prescribed period of time, among other things. |
| Nebraska | LB 316 | PBM Regulation | Enacted | Provides that a pharmacist/pharmacy will not be prohibited from sharing information regarding the cost, price, or copayment of a prescription drug with a covered individual; prohibits PBMs from inhibiting a pharmacist/pharmacy from discussing any such information or selling a more affordable alternative to a covered individual, among other things. |
| Nevada | SB 276 | Miscellaneous | Enacted | Directs the Legislative Commission to appoint a committee to conduct an interim study concerning the costs of prescription drugs. |
| Nevada | AB 141 | PBM Regulation | Enacted | Prohibits a PBM from providing information to a person covered by a pharmacy benefits plan concerning the amount of any copayment or coinsurance for a prescription drug; prohibits a PBM from preventing a pharmacist/pharmacy from providing such information to a covered person concerning the availability of a less expensive or more effective drug, among other things. |
| Nevada | SB 369 | PBM Regulation | Pursuant to Senate rules, no further action allowed | Prohibits PBMs or manufacturers of prescription drugs from increasing the effective price of a prescription drug for a pharmacy benefits plan during the plan year, among other things. |
| Nevada | SB 262 | Drug Pricing Transparency | Enacted | Requires insurers provide beneficiaries with information regarding prescription drug coverage, among other things. |
| Nevada | SB 378 | PBM Regulation | Enacted | Requires the Division of Health Care Financing and Policy to manage, direct, and coordinate all payments and rebates for prescription drugs for Medicaid and Nevada Check Up; permits the Prescription Drug Affordability Board to set an upper payment limit to cap the price of certain prescription drugs, among other things. |
| New Hampshire | HB 717 | Miscellaneous | Failed | Prohibits pharmacies from accepting rebates/discounts/vouchers, etc. offered by a drug manufacturer for a prescription drug if a lower cost generic drug is covered under the individuals health insurance/plan/or other coverage, among other things. |
| New Hampshire | SB 226 | PBM Regulation | Enacted | Requires the Insurance Department to license and regulate PBMs; establishes provider contract standards for PBMs; reestablishes a commission to study greater transparency in pharmaceutical costs and drug rebate programs, among other things. |
| New Hampshire | HB 703 | Drug Pricing Transparency | Failed | Requires prescription drug manufacturers to provide written notice to the state's Department of Justice if they introduce a new prescription drug to the market at a wholesale acquisition cost that exceeds the threshold set for a specialty drug under the Medicare Part D program, among other things. |
| New Hampshire | SB 32 | Miscellaneous | Deemed Inexpedient to Legislate | Reestablishes the commission to study greater transparency in pharmaceutical costs and drug rebate programs. |
| New Hampshire | HB 656 | Miscellaneous | Enacted | Establishes a commission to study the impact of financial incentives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums. |

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| New Jersey | SB 2630/AB 4216 | Multi-Issue | Introduced | Requires PBMs to disclose certain information about prescription drug pricing and generic substitutions to benefit plan purchasers; requires PBMs to disclose the methodology and sources utilized to determine multiple source generic drug pricing; establishes the Prescription Drug and Biological Product Review Commission to develop a list of critical prescription drugs for which manufacturers will be required to report certain information concerning development, production, and marketing costs; prohibits manufacturers and wholesale distributors from engaging in price gouging in the sale of essential off-patent or generic drug products, among other things. |
| New Jersey | SB 1590/AB 3987 | Price Gouging | Introduced | Prohibits manufacturers and wholesale distributors of prescription drugs from excessively increasing the price of essential off-patent or generic prescription drugs without justification, among other things. |
| New Jersey | SB 997 | Price Gouging | Introduced | Prohibits any person from charging excessive prices for drugs developed by publicly funded research, among other things. |
| New Jersey | SB 2389 | Drug Pricing Transparency | Passed Senate; Referred to House | Requires the State Board of Pharmacy to establish a prescription drug pricing disclosure website for New Jersey practitioners; requires certain pharmaceutical manufacturing companies to provide prescription drug price information to the Board, among other things. |
| New Jersey | SB 983/AB 503 | Drug Pricing Transparency | Introduced | Establishes the Prescription Drug Review Commission to develop a list of critical prescription drugs for which drug manufacturers will be required to report certain information concerning development, production, and marketing costs; if the Commission determines that a drug is priced excessively high in the state, grants the Commission the authority to establish a maximum price for the drug in the state, among other things. |
| New Jersey | SB 2060 | PBM Regulation | Introduced | Requires PBMs to disclose certain information about prescription drug pricing and generic substitutions to benefit plan purchasers; requires PBMs to disclose the methodology and sources utilized to determine multiple source generic drug pricing, among other things. |
| New Jersey | AB 3525 | PBM Regulation | Introduced | Requires PBMs to disclose in the contract between the PBM and the purchaser certain information (e.g., the basis of the methodology and sources utilized to establish multiple source generic pricing, etc.), among other things. |
| New Jersey | AB 3717/SB 728 | PBM Regulation | AB 3717: Vetoed SB 728: Introduced | Prohibits PBMs from making certain retroactive reductions in claims payments to pharmacies; requires PBMs to disclose certain product information to pharmacies, among other things. |
| New Jersey | SB 2690/AB 2214 | PBM Regulation | SB 2690: Enacted AB 2214: Introduced (incorporated into AB 3993) | Prohibits PBMs from engaging in claw back schemes (i.e., charging a covered person a copayment for a prescription drug benefit in an amount that exceeds that cost of the prescription drug that the pharmacy would charge to persons who do not purchase the drug through their health insurance coverage); requires certain disclosures by carriers and pharmacists, among other things. |
| New Jersey | SB 1863 | PBM Regulation | Introduced | Provides for the regulation of the activities of pharmacy benefits management companies (e.g., certification requirements, disclosure obligations, etc.), among other things. |
| New Jersey | AB 5449 | Drug Pricing Transparency | Introduced | Requires the New Jersey State Board of Pharmacy to establish a prescription drug pricing disclosure website; requires manufacturers report wholesale acquisition cost information quarterly. |
| New Jersey | SB 3746 | PBM Regulation | Introduced | Subjects carriers and PBMs to certain requirements relating to the switching of drugs and medication and providing coverage of drugs. |
| New Mexico | SB 415 | PBM Regulation | Enacted | Subjects PBMs to licensure requirements; dictates PBM reimbursement practices and requirements associated with maintaining a maximum allowable cost list; prohibits PBMs from preventing a pharmacist/pharmacy from providing a patient information regarding their total cost for pharmacy services, among other things. |
| New Mexico | SB 92 | PBM Regulation | Action Postponed Indefinitely | Prohibits PBMs from (1) adopting a gag rule that prohibits a health care provider from discussing a treatment option with an enrollee, even if the PBM does not approve of the option; (2) including in any of its contracts with providers provisions that offer an inducement to provide less than medically necessary services; or (3) requiring providers to violate their fiduciary duty/put their license in jeopardy, among other things. |
| New Mexico | SB 373 | Drug Pricing Transparency | Introduced ADJOURNED | Requires manufacturers to notify the Human Services Department of certain planned price increases in the wholesale acquisition cost of the drug, including a justification for such increases, among other things. |
| New York | AB 7196/SB 5169 | Miscellaneous | Introduced | Requires manufacturers that engage in "pay for delay" deals to report such deals to the Attorney General, among other things. |
| New York | AB 6056 | Miscellaneous | Introduced | Requires every recipient of a pharmaceutical product via mail order or other means to be provided with the retail price of the prescription either in writing or via electronic format, among other things. |
| New York | AB 1924 | Miscellaneous | Introduced | Authorizes a pharmacist to inform a patient if the price of a brand name drug will exceed the price of a generic drug product; upon the request of the patient, authorizes the pharmacist to dispense the brand name product at the regular price, among other things. |
| New York | AB 2836/SB 2087/SB 6531 | PBM Regulation | SB 6531: Passed House; Referred back to Senate | Provides that PBMs will have a fiduciary relationship with and obligation to the health plan or provider; establishes transparency and disclosure requirements for PBMs; prohibits PBMs from substituting one prescription drug for another, except with approval of the prescriber, among other things. |
| New York | SB 2391/AB 612 | Drug Pricing Transparency | Introduced | Requires state regulators to establish and publish a list of generic drug products; requires manufacturers of such drugs to make available the data related to the drugs, among other things. |

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| New York | AB 2970/SB 1705 | PBM Regulation | Introduced | Requires PBMs to exercise "good faith and fair dealing" in the performance of their contractual obligations to a covered entity; requires PBMs to provide information to covered entities and state regulators (e.g., the wholesale acquisition cost for each drug on its formulary and the total number of prescriptions that were dispensed, information on rebates, etc.) among other things. |
| New York | AB 3829/SB 1798 | Price Gouging | Introduced | Prohibits price gouging by manufacturers of prescription drugs; requires such manufacturers to notify the Commissioner in the event of an increase of the wholesale acquisition cost of the drug by 100%+ at any one time or in the aggregate in any 12-month period, among other things. |
| New York | SB 3654/AB 5946/SB 256 | Price Gouging | Introduced | Prohibits selling drugs that are subject to a shortage at an "unconscionably excessive" price, among other things. |
| New York | AB 6606/SB 141 | Price Gouging | Introduced | Prohibits manufacturers or wholesalers from selling pharmaceuticals for an amount that represents an "unconscionably excessive price," among other things. |
| New York | AB 5378 | Miscellaneous | Introduced | Requires all manufacturers or wholesalers that makes any gift (i.e., money, service, loan, travel, etc.) to a health provider to disclose the gift and certain personally identifiable information, among other things. |
| New York | AB 7588/SB 5682 | Drug Importation | Introduced | Requires state regulators to develop a wholesale prescription drug importation program that complies with federal standards and regulations, among other things. |
| New York | SB 6244 | PBM Regulation | Introduced | Requires insurers that provide prescription drug coverage to provide access/coverage for certain drugs, among other things. |
| New York | AB 7922/SB 5943 | Drug Pricing Transparency | Introduced | Requires the commissioner of health to annually report information regarding the cost and increase in cost of certain prescription drugs. |
| New York | SB 5942/AB 8253 | Drug Pricing Transparency | Introduced | Requires drug manufacturers to notify the drug utilization board of proposed increases in the wholesale acquisition cost of prescription drugs. |
| New York | SB 1507 | PBM Regulation | Enacted | Prohibits pharmacy benefit managers (PBMs) in the Medicaid program from retaining any portion of spread pricing; requires the registration of PBMs. |
| North Carolina | SB 658 | Drug Pricing Transparency | Introduced | Requires manufacturers to notify all interested parties before a substantial price increase and to provide justification for such increase (as well as attendant financial information), among other things. |
| North Carolina | HB 354/SB 632 | PBM Regulation | Introduced | Requires PBMs to obtain licenses to operate in the state; prohibits PBMs from preventing pharmacists from disclosing certain information to insureds; imposes certain transparency requirements and other prohibitions on PBMs, among other things. |
| North Carolina | SB 432 | PBM Regulation | Passed Senate; Referred to House | Requires PBMs to obtain licenses to operate in the state, among other things. |
| Ohio | HB 63/SB 14 | PBM Regulation | Introduced | Prohibits PBMs, insurers, or other administrators from (1) requiring cost-sharing in an amount greater than the amount an individual would pay for the drug out-of-pocket, (2) prohibiting a terminal distributor of dangerous drugs/pharmacist from providing to a covered person information about their cost-sharing requirements with regard to a particular drug, (3) imposing a penalty or fee on a pharmacy in certain circumstances, among other things. |
| Ohio | HB 396 | PBM Regulation | Introduced | Prohibits PBMs from (1) engaging in spread pricing, (2) denying certain claims after such claims have been adjudicated, (3) paying or reimbursing a pharmacy or pharmacist at an amount less than the national average drug acquisition cost (wholesale acquisition cost if average is unavailable); and requires PBMs report certain rebate information, among other things. |
| Oklahoma | HB 2632/HB 2315 | PBM Regulation | HB 2632: Enacted Introduced | Imposes access standards on retail pharmacy networks; prohibits PBMs from taking certain actions; requires PBMs to allow pharmacies to participate in any pharmacy network; prohibits contracts between pharmacies and PBMs from containing "gag clauses;" authorizes the Insurance Commissioner to monitor PBMs to ensure compliance, among other things. |
| Oklahoma | HB 2137 | PBM Regulation | ADJOURNED | Establishes the standards and criteria for the regulation and licensure of PBMs, among other things. |
| Oklahoma | SB 841 | PBM Regulation | VETOED | Requires pharmacy networks to comply with certain access standards; prohibits PBMs from undertaking certain actions (e.g., using misleading advertisements, charging pharmacies/pharmacists fees related to claims resolution, etc.); prohibits contracts between PBMs and pharmacies/pharmacists from preventing disclosure of certain information to patients and to the Insurance Commissioner, law enforcement, and federal officials, among other things. |
| Oklahoma | SB 940 | Drug Importation | Introduced ADJOURNED | Directs the Oklahoma State Department of Health to submit an application to HHS to establish a Canadian prescription drug importation pilot program; requires the Department to work with the Oklahoma Health Care Authority to identify the 5-10 prescribed drugs through the state Medicaid program with large price differentials between Canadian and U.S. average prices, among other things. |
| Oregon | HB 2689 | Drug Importation | Introduced ADJOURNED | Requires the Oregon Health Authority to design a wholesale drug importation program and operate as a licensed drug wholesaler to import prescription drugs from Canada, among other things. |
| Oregon | SB 409 | Drug Importation | Introduced ADJOURNED | Requires the State Board of Pharmacy to study the feasibility of implementing/developing a plan to implement a wholesale prescription drug importation program in which the state is a licensed wholesaler that imports prescription drugs from an authorized Canadian supplier for distribution to voluntarily participating pharmacies and providers, among other things. |
| Oregon | HB 2680 | Drug Importation | Introduced ADJOURNED | Directs the Oregon Prescription Drug Program to cooperate with Canadian provinces/territories to purchase prescription drugs in bulk, among other things. |

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| Oregon | HB 3093/SB 872 | Drug Pricing Transparency | Introduced ADJOURNED | Requires manufacturers, insurers, and PBMs to report and disclose certain information relative to their profession Department of Consumer and Business Services; requires PBMs to report to the Department and plan sponsors specific information regarding rebates, reimbursements, and fees, among other things. |
| Oregon | HB 2961 | Drug Pricing Transparency | Enacted | Requires manufacturers that advertise a prescription drug to clearly and conspicuously disclose in the advertisement the wholesale price that pharmacies located in Oregon pay for the prescription drug, among other things. |
| Oregon | HB 2658 | Drug Pricing Transparency | Enacted | Requires manufacturers to report a planned price increase of certain prescription drugs to the Department of Consumer and Business Services in advance of the planned increase, among other things. |
| Oregon | HB 2840 | PBM Regulation | Introduced ADJOURNED | Imposes certain requirements on PBMs (e.g., prohibits PBMs from (1) requiring an insured to fill/refill prescriptions with a mail-order service, (2) preventing a pharmacist/pharmacy from selling an insured a lower cost alternative drug, (3) restricting a pharmacist/pharmacy in providing patients' information on their cost share, etc.) among other things. |
| Oregon | SB 572 | PBM Regulation | Introduced ADJOURNED | Prohibits PBMs from requiring an enrollee to fill/refill prescriptions at a mail order pharmacy; requires PBMs to make its maximum allowable cost list available to a network pharmacy in a specified format, among other things. |
| Oregon | HB 2185 | PBM Regulation | Enacted | Specifies that registered PBMs may not prohibit network pharmacies from delivering prescription drugs by mail; prohibits a pharmacy from submitting a claim for reimbursement to a PBM unless it is agreed to by the PBM; prohibits registered PBMs from directly or indirectly restricting or penalizing a network pharmacy from informing a customer of the difference between their out-of-pocket cost to purchase a prescription drug and the pharmacy's retail price for the drug, among other things. |
| Oregon | HB 2679 | Miscellaneous | Introduced ADJOURNED | Directs the Oregon Prescription Drug Program to cooperate with the State of California to purchase bulk prescription drugs, among other things. |
| Oregon | HB 2690 | Miscellaneous | Introduced ADJOURNED | Establishes the right of consumers to be educated by a pharmacist/pharmacy about all means available to the consumer to reduce their costs for a prescription drug; prohibits interference with this right by insurers, PBMs, and others, among other things. |
| Oregon | HB 2696 | Miscellaneous | Introduced ADJOURNED | Establishes the Drug Cost Review Commission to determine excess costs for certain prescription drugs and set maximum payment rates for certain prescription drugs sold in Oregon by suppliers other than manufacturers, among other things. |
| Pennsylvania | HB 1042 | Drug Pricing Transparency | Introduced | Establishes the Prescription Drug Pricing Task Force to study the pricing of prescription drugs and issue a report, among other things. |
| Pennsylvania | HR 187 | Drug Pricing Transparency | Introduced | Directs the Joint State Government Commission to conduct a study on prescription drug pricing and issue a report, among other things. |
| Pennsylvania | HB 941 | PBM Regulation | Introduced | Establishes financial disclosure obligations for PBMs that contract with certain medical assistance managed care organizations, among other things. |
| Pennsylvania | HB 568 | Drug Pricing Transparency | Introduced | Requires manufacturers of drugs that meet certain pricing thresholds (i.e., an average wholesale price (1) of \$5,000 or more annually; (2) of \$5,000 or more per course of treatment; (3) that has increased by 50%+ over the past 5 years; or (4) that has increased by 25%+ over the past 12 months) to report certain financial information to the Insurance Department, among other things. |
| Pennsylvania | HB 943/SB 639/HB 570 | PBM Regulation | Introduced | Permits pharmacists/pharmacies to provide covered individuals with information concerning the cost of a prescription drug, including the individual's cost share; prohibits PBMs from penalizing pharmacies/pharmacists for disclosing the availability of therapeutically equivalent alternative medications or selling a covered individual a more affordable alternative, among other things. |
| Pennsylvania | HB 569 | PBM Regulation | Introduced | Requires PBMs to disclose to insurers whether or not the PBM uses the same multiple source generic list when billing a health insurer as it does when reimbursing a pharmacy; if a PBM uses more than one multiple source generic list, requires the PBM to disclose any difference between the amount paid to a pharmacy and the amount charged to the insurer. |
| Rhode Island | SB 137 | Miscellaneous | Recommended Held for Further Study | Regulates the marketing of prescription drug manufacturers using direct-to-consumer marketing strategies (e.g., coupons, discount cards, and similar offers) to conceal the true costs of high priced drugs; makes these discounts available to individuals without insurance, among other things. |
| Rhode Island | HB 5296/SB 895 | Drug Pricing Transparency | Introduced ADJOURNED | Requires pharmacists to disclose lesser price drug substitutions, unless directed otherwise by the doctor, among other things. |
| Rhode Island | HB 5094 | Drug Pricing Transparency | Recommended Held for Further Study | Directs state regulators to annually identify up to 15 prescription drugs on which the state spends significant health care dollars due to increases in cost; requires manufacturers of such drugs to submit relevant information and documentation to justify any such increases in cost, among other things. |
| Rhode Island | HB 5905 | Price Gouging | Recommended Held for Further Study | Prohibits price gouging of prescribed drugs in times of market emergency or market shortages, among other things. |
| Rhode Island | SB 895 | Drug Pricing Transparency | Introduced ADJOURNED | Requires pharmacists disclose lesser price drug substitutions unless otherwise directed by a doctor; exempts pharmacists automatically charging the lowest price. |

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| South Carolina | SB 359 | PBM Regulation | Enacted | Establishes a licensure requirement for PBMs; prohibits PBMs from restricting/penalizing a pharmacy from disclosing certain information; sets certain requirements for a maximum allowable cost list, among other things. |
| Tennessee | HB 887/SB 963 | Drug Pricing Transparency | Introduced ADJOURNED | Requires state regulators to examine and report on changes in price for essential generic drugs in prescription drug programs operated by state government over the last 5 fiscal years, among other things. |
| Tennessee | HB 885 | Price Gouging | Withdrawn ADJOURNED | Allows the governor to issue an executive order declaring a market shortage/emergency due to a shortage of vital prescription drugs; prohibits the sale of vital drugs at unreasonably high prices during a market shortage/emergency, among other things. |
| Texas | HB 2231/SB 2261 | PBM Regulation | Introduced ADJOURNED | Prohibits PBMs from reducing or denying a claim for pharmacy services after adjudication of the claim, unless certain evidence is present; requires establishment of a program to facilitate resolution of complaints against PBMs related to their reimbursement practices; establishes PBMs as fiduciaries of health benefit plan issuers; requires the development of pharmacy benefit network adequacy standards, among other things. |
| Texas | HB 1754 | Drug Pricing Transparency | Introduced ADJOURNED | Requires manufacturers of "expensive drugs" to report certain information about the costs associated with the drug, the manufacturer's financial assistance to patients, and the comparative effectiveness of the drug, among other things. |
| Texas | HB 2536 | Multi-Issue | Enacted | Requires drug manufacturers to report the current wholesale acquisition cost for certain FDA-approved drugs sold in Texas (e.g., those with a wholesale acquisition cost of at least \$100 for a 30-day supply and those subject to certain increases); requires PBMs to report information on rebates received; requires insurers to report certain information (e.g., frequently prescribed drugs, net spending for prescription drugs, etc.), among other things. |
| Texas | HB 1298 | Drug Pricing Transparency | Introduced ADJOURNED | Requires the Health and Human Services Commission to annually compile a list of prescription drugs by their wholesale acquisition cost and a list of prescription drugs by state cost; requires the Attorney General to compile an aggregate list of 15 prescription drugs that the greatest amount of money was spent across all payers in the past year and to provide written notice to each manufacturer on such list; requires manufacturers listed to provide a price justification for each of the prescription drugs listed, among other things. |
| Utah | SB 223 | Multi-Issue | Introduced ADJOURNED | Requires PBMs to be licensed by the Insurance Department (rather than registered with the Department of Commerce); requires reports by certain entities to the Insurance Department regarding the impact of costs of prescription drugs (e.g., information on the costliest drugs and drugs with high increases in spending); requires PBMs to report certain information to insurers regarding drug utilization payments, among other things. |
| Utah | HB 370 | PBM Regulation | Enacted | Requires PBMs to be licensed by the Insurance Department; creates certain operating and reporting requirements for PBMs, among other things. |
| Utah | HB 267 | Drug Importation | Passed House ADJOURNED | Requires the Department of Health to request certification for the importation of prescription drugs, among other things. |
| Virginia | SB 1308 | Price Gouging | Introduced ADJOURNED | Prohibits unconscionable price increases in the price of essential off-patent or generic drugs; authorizes the Secretary of Health and Human Resources to designate drugs as essential drugs, among other things. |
| Virginia | HB 2223 | PBM Regulation | Passed House ADJOURNED | Requires carriers to administer their plans consistent with provisions that prohibit PBMs or carriers from imposing differential copayments, additional fees, or other conditions on any covered individual who elects to fill their prescription at an in-network retail community pharmacy as opposed to a mail order pharmacy, among other things. |
| Washington | SB 5251/HB 1224/SB 5292 | Drug Pricing Transparency | HB 1224: Enacted | Requires the Office of Financial Management to select a data organization to collect, verify, and summarize prescription drug pricing data provided by insurers and certain drug manufacturers; requires the data organization to compile the data and submit it to the Office of Financial Management, among other things. |
| Washington | SB 5601 | PBM Regulation | Introduced ADJOURNED | Subjects PBMs to licensure requirements; provides that PBMs have a fiduciary duty to patients and beneficiaries to perform services in accordance with state and federal law; prohibits PBMs from engaging in certain activities with respect to adjudication of claims, among other things. |
| Washington | SB 5422 | PBM Regulation | Introduced ADJOURNED | Provides that PBMs have a fiduciary duty to carrier clients and requires them to discharge that duty in accordance with the provisions of state and federal law, among other things. |
| Washington | HB 1911/SB 5982 | PBM Regulation | Introduced ADJOURNED | Subjects PBMs to licensure requirements; provides that PBMs have a fiduciary duty to carrier clients and requires them to discharge that duty in accordance with the provisions of state and federal law; prohibits PBMs from engaging in certain activities with respect to adjudication of claims; requires PBMs to provide a reasonably adequate and accessible PBM network for the provision of prescription drugs, among other things. |
| West Virginia | SB 250 | Drug Importation | Introduced ADJOURNED | Requires state regulators to design a wholesale prescription drug importation program that designates a state agency to become a drug wholesaler to import pharmaceuticals from Canada, among other things. |

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| West Virginia | HB 2428/HB 2319 | Drug Importation | Introduced ADJOURNED | Requires the Bureau of Medical Services to design a wholesale prescription drug importation program that designates a state agency to become a drug wholesaler to import pharmaceuticals from Canada, among other things. |
| Wisconsin | AB 114/SB 100 | PBM Regulation | Introduced | Allows the Commissioner of Insurance to regulate PBMs by requiring them to register; establishes certain price transparency requirements and requirements on contracts the PBM enters into with pharmacies, pharmacists, or health benefit plan sponsors, among other things. |
| Wisconsin | AB 62 | Drug Pricing Transparency | Introduced | Requires manufacturers of prescription drugs whose wholesale acquisition cost exceeds \$40 to notify certain purchasers of the drug when the cost for a course of therapy increases by more than 16 percent; requires the manufacturers to notify the Office of the Commissioner of Insurance with specified information about the increase (e.g., the financial and nonfinancial factors used to make the decision to increase the drug's cost), among other things. |